

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEPHEN B. TURNER,

Plaintiff,

v.

DUSTIN TIERNEY,

Defendant.

No. C 12-6231 MMC

**ORDER DENYING DEFENDANT'S  
MOTION TO SHORTEN TIME; SETTING  
BRIEFING SCHEDULE ON MOTION TO  
DISQUALIFY/APPOINT**

Before the Court is plaintiff Stephen B. Turner's "Motion to Shorten Time," filed April 19, 2013, by which motion plaintiff seeks an order setting a May 10, 2013 hearing on his "Motion to Disqualify Defendant's Counsel and/or Appointment of Plaintiff's Counsel" ("Motion to Disqualify"), likewise filed April 19, 2013.<sup>1</sup> Absent an order shortening time, plaintiff's Motion to Disqualify can be heard no earlier than May 24, 2013. See Civil L.R. 7-2(a) (providing motions must be noticed for hearing "not less than 35 days after service").

Having read and considered the above-referenced motions, the Court finds plaintiff has failed to show good cause to shorten time.

Accordingly, the Motion to Shorten Time is hereby DENIED and the Court hereby SETS the following dates for the Motion to Disqualify and/or Appointment of Plaintiff's Counsel:

1. Defendant's opposition shall be filed on or before May 10, 2013.
2. Plaintiff's reply shall be filed on or before May 17, 2013.


<sup>1</sup>The motions were filed as a single motion, both noticed for hearing May 10, 2013.

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3. The hearing is scheduled for May 31, 2013, at 9:00 a.m.

**IT IS SO ORDERED.**

Dated: April 25, 2013

  
MAXINE M. CHESNEY  
United States District Judge